

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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FRESENIUS MEDICAL CARE	)	
HOLDINGS, INC.,	)	
Plaintiff,	)	
vs.	)	Civil Action No. C2-05-889
	)	Judge Sargus
ROXANE LABORATORIES, INC.,	)	Magistrate Judge Kemp
Defendant,	)	
vs.	)	
	)	
NABI BIOPHARMACEUTICALS,	)	
Counterclaim Defendant.	)	
	)	

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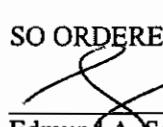
**AGREED ORDER FOR DISMISSAL WITH PREJUDICE**

The Court having been advised that the parties have executed a settlement agreement, and having received and reviewed the Settlement Agreement filed under seal, and Fresenius Medical Care Holdings, Inc., Roxane Laboratories, Inc. and Nabi Biopharmaceuticals, being all parties hereto, having agreed hereto by and through their respective attorneys, it is hereby ORDERED that the above-captioned matter and all claims and counterclaims for relief asserted therein are hereby dismissed with prejudice and without costs pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

The Court shall retain jurisdiction over the parties and this action to the extent necessary to enforce the terms of the settlement agreement.

February 29, 2008

SO ORDERED

  
Edmund A. Sargus, Jr.  
United States District Judge

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